

CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 9, 2010

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, February 9, 2010.

Mayor Warmington opened the meeting with a prayer from Elder George Monroe from Evanston Avenue Baptist Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Lawrence Spataro, Sue Wierengo, Steve Wisneski, Chris Carter, and Clara Shepherd, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

2010-11 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, January 26, 2010.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Response Agreement – Department of Veteran Affairs Police. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety is requesting approval to enter into a cooperative agreement with the United States Department of Veteran Affairs Police. This agreement, known as a "threshold agreement", coordinates public safety response to Veterans Affairs offices within the City, specifically: 165 East Apple Avenue, Suite 201. There are no costs associated with this agreement.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the agreement.

C. Request to Amend Encroachment Agreement #2005-82(i).
ENGINEERING

SUMMARY OF REQUEST: BLDI Environmental who is working with Ken's Super Service Station at the north west corner of Laketon and Henry has submitted an encroachment agreement form requesting your permission to install four (4) additional monitoring wells in the area surrounding the aforementioned station bringing the total to 17 wells. The wells would be installed in the public right-of-ways of Franklin Street, Hudson Street, and Larch Avenue.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the encroachment agreement subject to the supplemental conditions.

D. Restrictive Covenant Purchase. PUBLIC WORKS

SUMMARY OF REQUEST: Approval to purchase restrictive covenant for parcel: 10-670-000-0015 (lot 15) and authorize the Mayor to sign the agreement.

FINANCIAL IMPACT: \$5,000.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve purchase and authorize the Mayor to sign the agreement.

E. Request to Fly the Irish Flag. CITY CLERK

SUMMARY OF REQUEST: The Muskegon Irish American Society is requesting permission to fly the Irish Flag at City Hall on Wednesday, March 17 to Wednesday, March 24th.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the request.

F. Recommendations for the Various Boards and Committees. CITY CLERK

SUMMARY OF REQUEST: To concur with recommendations from the Community Relations Committee regarding appointments and resignations.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

COMMITTEE RECOMMENDATION: The Community Relations Committee recommended approval at their February 1, 2010, meeting.

Motion by Vice Mayor Gawron, second by Commissioner Spataro to approve

the Consent Agenda as read minus item G.

ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Carter, Gawron, Shepherd, and Spataro

Nays: None

MOTION PASSES

2010-12 ITEM REMOVED FROM THE CONSENT AGENDA:

G. Fluoride System Evaluation. WATER FILTRATION

SUMMARY OF REQUEST: To enter into an agreement with Fishbeck, Thompson, Carr & Huber Engineers and Architects for the evaluation of the fluoride system at the Water Filtration Plant.

FINANCIAL IMPACT: The engineering-design proposal cost is \$8,250.

BUDGET ACTION REQUIRED: None. The fluoride system evaluation was planned as part of the 2010 capitol improvements plan.

STAFF RECOMMENDATION: It is staff's recommendation that the Mayor and City Commission authorize staff to enter into an agreement with Fishbeck, Thompson, Carr & Huber for the fluoride system evaluation at the Water Filtration Plant at a cost of \$8,250.

Motion by Commissioner Shepherd, second by Commissioner Spataro to enter into an agreement with Fishbeck, Thompson, Carr and Huber for the evaluation of the fluoride system at the Water Filtration Plant.

ROLL VOTE: Ayes: Wierengo, Wisneski, Carter, Gawron, Shepherd, Spataro, and Warmington

Nays: None

MOTION PASSES

2010-13 NEW BUSINESS:

A. Adopt the Revised Standard Construction Specifications. ENGINEERING

SUMMARY OF REQUEST: Adopt the standard construction specification for the City's construction projects as revised by engineering on May 19, 2009. The specifications were revised to incorporate new materials, construction methods and to make use of the State's construction standards manual by referencing it.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Adopt the revision and authorize staff to use for 2010 construction projects.

Motion by Commissioner Spataro, second by Commissioner Wierengo to adopt

the Revised Standard Construction Specifications.

ROLL VOTE: Ayes: Wisneski, Carter, Gawron, Shepherd, Spataro, Warmington,
and Wierengo

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Various comments were heard from the public.

ADJOURNMENT: The City Commission Meeting adjourned at 5:43 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk